



Village of
Glenwillow

Honoring the Past - Welcoming the Future

Council Meeting – Council Chambers

April 6, 2016 – 7:30 pm

Mayor Mark A. Cegelka presiding

The Mayor, Mark A Cegelka called the meeting to order at 7:30 p.m. and all present said the Pledge of Allegiance.

Present: Jeffrey Adie, Don Banas, Barbara DiBacco, Eric Johnson, Gurvis Smith, Larry Sylver

Others Present: Law Director Dave Matty, Finance Director John Veres, Engineer Mike Henry, Building Official Bob Rodic, Chief Michael Megyesi, Service Director Sam Scaffide, Clerk of Council Lori Pepera

APPROVAL OF MINUTES

The minutes of the Regular Council Meeting of March 16, 2016 were approved as presented.
(DiBacco/Smith)

Roll Call: Yeas - Adie, Banas, DiBacco, Johnson, Smith, Sylver
Nays - None

6 yeas – 0 nays
Motion Carried

PAY ORDINANCE

Ordinance No. 2016-4-10

The Pay Ordinance was approved as presented. (Banas/Adie)

Roll Call: Yeas –Adie, Banas, DiBacco, Johnson, Smith, Sylver
Nays – None

6 yeas – 0 nays
Motion carried

CORRESPONDENCE & MAYOR'S REPORT:

The following were attached in the Mayor's packet:

- Attached is the Mayor's Court Report for the month of March 2016.
- Attached is a copy of the monthly Building Department activity for March 2016. The report gives details of all permit activity.
- Attached are reports showing active foreclosures and rental properties for the month of March.
- Attached is a copy of a check in the amount of \$4,314.24 received from Republic Services for the month of February.

- Attached are copies of a checks from Nationwide Insurance and Farmer's Insurance totaling \$2,795 for the reimbursement of two accidents that occurred at the round-a-bout in February.
- Attached is a copy of a check in the amount of \$7,018.07 from the City of Cleveland for the Sanitary Sewer Fund for user sewer fees.
- Attached is a copy of a check in the amount of \$44,940.83 from Diamond Center One LLC for reimbursement regarding the Tax Abatement agreement with Geis/Weston.
- Attached is a copy of the report supplied by Chief *Megyesi*, reporting streetlight outages to Solon FirstEnergy Service Center; Date of Report April 4, 2016.
- Attached is a copy of the activity report from Chief Megyesi showing all police activity for the month of March.
- Attached is a copy of the activity report from Chief Megyesi showing all warning traffic tickets issued for the month of March.
- Attached is the Service Department report for the month of March, 2016 from Service Director Sam Scaffide.
- Attached is a report from Court Community Service reporting litter collection was performed on March 19, 2016 on Pettibone Rd., Diamond Parkway, Emerald Valley, Bond Street, Tinkers Court and Cochran. A total of 25 bags of litter were collected.
- Attached is a copy of the invoice and activity report from A & S Animal Control for the month of February 2016.
- Attached are the Oakwood Fire Department incident and response reports for the months of January and February supplied by Chief Schade.
- Attached are the results of the bid opening held on March 11, 2016 for old Building Department Repair Project. 3 bids were received. The low bidder was ABV Contractors Co. with a bid of \$118,000.
- Attached are the results of a bid opening held on March 18, 2016 for the 2016 Asphalt and Concrete Repair Program. 6 bids were received for each program. The low bidder for the Asphalt Program was Ronyak with a bid of \$126,187.50 and the low bidder for the Concrete Program was Eclipse with a bid of \$82,850.00.
- Attached is a copy of the Cuyahoga County Board of Health 2015 Annual Report and Statistical report for public health services for your review.

- Attached is a memo from the Ohio Public Works Commission notifying the Village that our request for financial assistance for the Pergl Road Sanitary Sewer Phase III has been approved for the amount of \$362,020.
- Attached is an article from the March 17th edition of the Solon Times regarding the City of Solon joining area communities in the consolidated Chagrin Valley Dispatch to replace the City's emergency dispatch service unit.
- Attached is an article regarding the site GovDeals; a market place for government entities to sell equipment, vehicles and other property. The Village has sold two cars through the use of govdeals.com.
- Attached is the monthly report from Greenfields Environmental for the inspections of the DNP Recreation Complex and Avery Lake for April 2016.
- Attached is an invitation for public safety officials to attend an open house at Chagrin Valley Dispatch Center located at 88 Center Street in Bedford on Friday, April 8th at 10 AM. The reason for the open house is for the County Dispatch to co-locate into the regional dispatch center.
- Attached is the quarterly report for the Village of Glenwillow from the Heritage Home Program.
- Attached is a letter from the RTA reporting on the approved 2016 budget. There was an adjustment through a combination of service modifications and fare increases. Their goal was to develop a plan that negatively impacts the least number of customers. The report shows the routes that may be impacted, historic service levels along with service level projections for 2016 and 2017 and the current fares with several proposed fare adjustments.
- Attached is a copy of the semiannual apportionment of taxes the Village receives from the Glenwillow Mobile Home Park.
- Attached is an email from resident Roberto Pagarigan from 29428 N. Village Lane thanking the Village for awarding his daughter with a scholarship, who is graduating High School this year. She will be attending Cleveland State in the fall. Scholarships will be given out to the graduating seniors on August 3rd this year.
- The Service Department will be holding a hazardous household waste collection on Saturday May 7th and the free chipping service will take place on May 16th.

FINANCE DIRECTOR JOHN VERES:

- Finance Director John Veres reported there is an amendment to the appropriations on the agenda. The fund stated on the report should read 4913 not 4903. The reason for the increase of the estimated resources is due to a County grant of \$48,000.00 going towards maintenance of the

roads; the restricted fund 9902 is also being amended due to Drees Homes receiving money back for outstanding deposits for 4 sites.

LAW DEPARTMENT DAVE MATTY:

- Law Director Dave Matty reported under Old Business on the agenda this evening is to adopt the Planning & Zoning Code, Building Code and the Zoning Map. There was a recommendation made by the Planning Commission and there is one change that needs to be amended on the exhibit.
- Item #6 and #7 on the agenda is regarding an application made by Daniel Skocic for placement of farmland in an agricultural district. If Council wishes they may pass this evening or can pass at the first meeting in May. There is Public Hearing this evening to discuss this.
- Item #11 is the annual updating of the Codified Ordinances. Dave reviewed the civil part and Prosecutor Ross Cirincione reviewed the criminal sections. If there are no objections, Council may pass this evening and the updates will be passed out.

ENGINEER MIKE HENRY:

- Engineer Mike Henry reported the bid opening for the foundation repairs to the old Building Department was March 11, 2016. 3 bids were received. The low bidder was ABV Contractors Co. with a bid of \$118,000. Work will begin in the summer and is expected to be finished in August.
- The bid opening for the 2016 Concrete and Asphalt Program took place on March 8, 2016. Six bids were received for each program. The low bidder for the Asphalt Program was Ronyak with a bid of \$126,187.50 and the low bidder for the Concrete Program was Eclipse with a bid of \$82,850.00. Work will begin in May and is expected to be finished in June.
- The Village received notification from the Ohio Public Works Commission that financial assistance for the Pergl Road Sanitary Sewer Phase III has been approved for the amount of \$362,020. The out of pocket expenses to the Village will be 30 year loan.

Motion by Eric Johnson seconded by Don Banas for culvert work to be done on Pergl Road to repair the ditches from 27555 Pergl Road to Mello Drive by Longo Construction for \$ 13,000.00.

**Roll Call: Yeas—Adie, Banas, DiBacco, Johnson, Smith, Sylver
Nays—None**

6 yeas – 0 nays

CHIEF MICHAEL MEGYESI:

- Chief Megyesi reported all reports were submitted to Mayor Cegelka and are in the Mayor's report.
- There is an open house Friday April 8, 2016 at 10 AM for public safety officials to attend an open house at Chagrin Valley Dispatch Center located at 88 Center Street in Bedford. The reason for the open house is for the County Dispatch to co-locate into the regional dispatch center.

CHIEF BUILDING OFFICIAL BOB RODIC:

- Bob Rodic reported there were two new occupancies. TTI Floorcare is taking a space on Diamond Parkway to use as an office warehouse distribution center. Lash Loft is moving into 29649 Pettibone Road. They will provide services to lengthen eyelashes.
- The landscaping has been started at Fastener Tool & Supply. The Landscape Architect has been notified to monitor.

SERVICE DIRECTOR SAM SACFFIDE:

- Service Director Sam Scaffide stated his report was submitted to Mayor Cegelka and is in the Mayor's report.
- The Department has been busy taking out the picnic tables and repairing them.
- The Department was notified that the light for the Austin Powder sign was out. They are working on restoring the power.
- The comfort stations will be opened by the middle of the month.
- The Department has used 3,900 pounds of cold patch to repair the roads so far.
- The spring tree planting program will be starting soon.
- At the Safety/Service meeting this evening Sam discussed that he has located a backhoe loader and will be going out to bid for it.
- A pilot program was started to help the residents on Lifeline with their trash. They will leave their trash cans outside by their garage and Republic will take their can from their home to the street, empty it and bring it back.
- The stocking of Avery Lake will take place April 16th.
- The Chipping Program will take place May 16, 2016 and delivery of the free mulch for residents will begin the first week in May. There is also a program Sam has set up with the landscape Company, Savarino Brothers. Village residents will receive \$5.00 off mulch purchased through them along with \$10.00 off of the delivery charge. If the resident would like it delivered on a Friday, our Service Department will deliver it for free.

- The Household Hazardous waste collection held in 2015 went well; therefore two collections will be scheduled in 2016. The first will take place on May 7th.

Motion by Jeff Adie seconded by Barb DiBacco to authorize the Service Department to prepare specifications for a used loader/backhoe.

**Roll Call: Yeas—Adie, Banas, DiBacco, Johnson, Smith, Sylver
Nays—None**

6 yeas – 0 nays

ERIC JOHNSON'S REPORT ON ARB AND PLANNING COMMISSION:

- The Planning Commission approved the Planning & Zoning Code with one change.

Motion by Eric Johnson seconded by Gurvis Smith to amend section 1119.01 of the Planning and Zoning Code to add the addition of the word may to read as *"any person, firm or corporation may appeal a decision"*.

**Roll Call: Yeas—Adie, Banas, DiBacco, Johnson, Smith, Sylver
Nays—None**

6 yeas – 0 nays

- There is an ARB meeting and a Planning Commission meeting scheduled for April 13, 2016 starting at 5:30 p.m.

PUBLIC HEARING: For the purpose to discuss an application for placement of farmland in an agricultural district made by Daniel J. Skocic for permanent parcel number 991-03-005 located at 6845 Richmond Road in the Village of Glenwillow.

The Public Hearing opened at 8:03 p.m. Mr. Daniel Skocic was in attendance. Law Director Dave Matty stated according to the State Code, Council is to review the information that was submitted in writing and to hear Mr. Skocic verbally. Mr. Skocic stated he has been growing produce for many years on his property. He sells at many farmer's markets and has a stand in his front yard. It was brought to his attention that he qualifies for an Agricultural Permit. He then called the County. Lori Koran, from the Fiscal Office came out, looked over his land and informed Mr. Skocic he qualifies for a permit for farmland in an agricultural district. Mr. Skocic then passed our pictures of his property. Dave Matty questioned how many years Mr. Skocic has been selling his produce at farmer's markets. Mr. Skocic replied; on and off for 5 to 6 years. Mr. Skocic also stated 2 ½ acres of his land are devoted to farming. Besides growing produce, he has also taken some of the trees (black walnut and cherry trees) on his property to saw mills. He has attempted to grow shitake mushrooms, ginseng and raspberries. Dave Matty asked for item "D" (evidence of gross income) on the application that Mr. Skocic submitted. Mr. Skocic passed out his tax returns for 2012 and 2013. He did not have his tax returns from 2015 as of today. Barb DiBacco questioned how much land would be cleared away for farming. Mr. Skocic stated he would not be clearing much land at all. He uses the greenhouse effect to grow his produce. Don Banas questioned whether or not there is a separation between selling lumber and crops. Dave Matty stated no there is not, that lumber is counted just as crops are. Barb DiBacco questioned how much of Mr. Skocic's income comes from his roadside stand. Mr. Skocic stated 75-80% of the income from produce

sales come from his roadside stand. Jeff Adie questioned if there is a distinction between selling lumber from a fallen tree and planting and harvesting lumber. Dave Matty stated there is no distinction. Finance Director John Veres stated; the Village receives 4% of the taxes and if Mr. Skocic is granted this permit, the Village would only lose 1/3 of the 4%. Dave Matty asked Mr. Skocic if he plans on continuing planting and selling his produce through 2016 and beyond. Mr. Skocic said he has no plans of stopping.

The Public Hearing closed at 8:21 p.m.

OLD BUSINESS:

2016-2-5 Ordinance	<p>An Ordinance adopting the comprehensive amendment and update to Part Eleven – Planning and Zoning Code of the Codified Ordinances of the Village of Glenwillow; and declaring an emergency. <i>Note: For 3rd reading</i> (Mayor & Council)</p> <ul style="list-style-type: none"> • Motion to approve (Smith/Sylver) Roll Call: Yeas— Adie, Banas, DiBacco, Johnson, Smith, Sylver Nays— None <p>6 yeas – 0 nays Ordinance carried</p>
2016-2-6 Ordinance	<p>An Ordinance adopting the comprehensive amendment and update to Part Thirteen – Building Code of the Codified Ordinances of the Village of Glenwillow; and declaring an emergency. <i>Note: For 3rd reading</i> (Mayor & Council)</p> <ul style="list-style-type: none"> • Motion to approve (Smith/Johnson) Roll Call: Yeas— Adie, Banas, DiBacco, Johnson, Smith, Sylver Nays— None <p>6 yeas – 0 nays Ordinance carried</p>
2016-2-7 Ordinance	<p>An Ordinance adopting “Zoning Map of Village of Glenwillow” of the Codified Ordinances; and declaring an emergency. <i>Note: For 3rd reading</i> (Mayor & Council)</p> <ul style="list-style-type: none"> • Motion to approve (Smith/Adie) Roll Call: Yeas— Adie, Banas, DiBacco, Johnson, Smith, Sylver Nays— None <p>6 yeas – 0 nays Ordinance carried</p>

NEW BUSINESS:

2016-4-24 Resolution	<p>A Resolution accepting the proposal of Greenfields Environmental Corp. for invasive plant management in Avery Lake, Glenwillow Village Center; and declaring an emergency. (Mayor & Council)</p> <ul style="list-style-type: none">• Motion to suspend 3 reading rule (Sylver/DiBacco) Roll Call: Yeas— Adie, Banas, DiBacco, Johnson, Smith, Sylver Nays— None 6 yeas – 0 nays Motion carried• Motion to approve (Smith/Sylver) Roll Call: Yeas— Adie, Banas, DiBacco, Johnson, Smith, Sylver Nays— None 6 yeas – 0 nays Resolution carried
2016-4-25 Resolution	<p>A Resolution approving with modification an application for placement of farmland in an agricultural district made by Daniel J. Skocic for permanent parcel number 991-03-005 located at 6845 Richmond Road in the Village of Glenwillow; and declaring an emergency. (Mayor & Council)</p> <ul style="list-style-type: none">• Motion to suspend 3 reading rule (DiBacco/Johnson) Roll Call: Yeas— Adie, Banas, DiBacco, Johnson, Smith, Sylver Nays— None 6 yeas – 0 nays Motion carried• Motion to approve (Adie/Smith) Roll Call: Yeas— Adie, Banas, DiBacco, Johnson, Smith, Sylver Nays— None 6 yeas – 0 nays Resolution carried

Motion by Don Banas seconded by Eric Johnson to with drawl Resolution 2016-4-26.

**Roll Call: Yeas—Adie, Banas, DiBacco, Johnson, Smith, Sylver
Nays—None**

6 yeas – 0 nays

<p>2016-4-26</p> <p>Resolution</p>	<p>A Resolution rejecting an application for placement of farmland in an agricultural district made by Daniel J. Skocic for permanent parcel number 991-03-005 located at 6845 Richmond Road in the Village of Glenwillow; and declaring an emergency. (Mayor & Council)</p> <ul style="list-style-type: none"> <p>Motion to suspend 3 reading rule (Johnson/Smith)</p> <p>Roll Call: Yeas— Adie, Banas, DiBacco, Johnson, Smith, Sylver</p> <p>Nays— None</p> <p>6 yeas – 0 nays</p> <p>Motion carried</p> <p>Motion to approve (Sylver/Smith)</p> <p>Roll Call: Yeas— Adie, Banas, DiBacco, Johnson, Smith, Sylver</p> <p>Nays— None</p> <p>6 yeas – 0 nays</p> <p>Resolution carried</p>
<p>2016-4-27</p> <p>Resolution</p>	<p>A Resolution accepting the bid of Eclipse Company LLC for the 2016 Concrete Repair Program; and declaring an emergency. (Mayor & Council)</p> <ul style="list-style-type: none"> <p>Motion to suspend 3 reading rule (Banas/Smith)</p> <p>Roll Call: Yeas— Adie, Banas, DiBacco, Johnson, Smith, Sylver</p> <p>Nays— None</p> <p>6 yeas – 0 nays</p> <p>Motion carried</p> <p>Motion to approve (DiBacco/Smith)</p> <p>Roll Call: Yeas— Adie, Banas, DiBacco, Johnson, Smith, Sylver</p> <p>Nays— None</p> <p>6 yeas – 0 nays</p> <p>Resolution carried</p>

<p>2016-4-28</p> <p>Resolution</p>	<p>A Resolution No. 2016-04-28 accepting the bid of Ronyak Paving, Inc. for the 2016 Asphalt Repair Program; and declaring an emergency. (Mayor & Council)</p> <ul style="list-style-type: none"> <p>Motion to suspend 3 reading rule (Johnson/Smith)</p> <p>Roll Call: Yeas— Adie, Banas, DiBacco, Johnson, Smith, Sylver</p> <p>Nays— None</p> <p>6 yeas – 0 nays</p> <p>Motion carried</p> <p>Motion to approve (Sylver/Smith)</p> <p>Roll Call: Yeas— Adie, Banas, DiBacco, Johnson, Smith, Sylver</p> <p>Nays— None</p> <p>6 yeas – 0 nays</p> <p>Resolution carried</p>
<p>2016-4-29</p> <p>Resolution</p>	<p>A Resolution accepting the bid of ABV Contractors Inc. for the (Old) Building Department Repair Project; and declaring an emergency. (Mayor & Council)</p> <ul style="list-style-type: none"> <p>Motion to suspend 3 reading rule (Banas/Smith)</p> <p>Roll Call: Yeas— Adie, Banas, DiBacco, Johnson, Smith, Sylver</p> <p>Nays— None</p> <p>6 yeas – 0 nays</p> <p>Motion carried</p> <p>Motion to approve (DiBacco/Smith)</p> <p>Roll Call: Yeas— Adie, Banas, DiBacco, Johnson, Smith, Sylver</p> <p>Nays— None</p> <p>6 yeas – 0 nays</p> <p>Resolution carried</p>

<p>2016-4-11</p> <p>Ordinance</p>	<p>An Ordinance approving the editing and inclusion of certain ordinances as parts of the various component codes of the Codified Ordinances of Glenwillow, Ohio, and declaring an emergency. (Mayor & Council)</p> <ul style="list-style-type: none"> <p>Motion to suspend 3 reading rule (Johnson/Smith)</p> <p>Roll Call: Yeas— Adie, Banas, DiBacco, Johnson, Smith, Sylver</p> <p>Nays— None</p> <p>6 yeas – 0 nays</p> <p>Motion carried</p> <p>Motion to approve (Sylver/Smith)</p> <p>Roll Call: Yeas— Adie, Banas, DiBacco, Johnson, Smith, Sylver</p> <p>Nays— None</p> <p>6 yeas – 0 nays</p> <p>Ordinance carried</p>
<p>2016-4-12</p> <p>Ordinance</p>	<p>An Ordinance No. 2016-04-12 amending Ordinance No. 2016-02-08 and appropriating funds to provide for the expenditures of the Village of Glenwillow, Ohio for the fiscal year beginning January 1, 2016 and ending December 31, 2016; and declaring an emergency. (Mayor & Council)</p> <ul style="list-style-type: none"> <p>Motion to suspend 3 reading rule (Banas/Smith)</p> <p>Roll Call: Yeas— Adie, Banas, DiBacco, Johnson, Smith, Sylver</p> <p>Nays— None</p> <p>6 yeas – 0 nays</p> <p>Motion carried</p> <p>Motion to approve (DiBacco/Smith)</p> <p>Roll Call: Yeas— Adie, Banas, DiBacco, Johnson, Smith, Sylver</p> <p>Nays— None</p> <p>6 yeas – 0 nays</p> <p>Ordinance carried</p>

COUNCIL COMMENTS:

Councilman Banas scheduled an Infrastructure Meeting for April 13, 2016 at 6:30 pm.

Councilman Sylver scheduled a Recreation meeting for May 4, 2016 at 6:45 pm.

Councilman Sylver reported on the Recreation Committee Meeting held this evening. All performances for the summer concerts are in place. A few more items are needed for the brochures to be able to go to print. The committee discussed giveaways to be given out at all concerts. The committee decided to send an invitation to all businesses along with copies of the brochures and to put up an A-frame sign welcoming the new businesses during all concerts. Larry thanked Chagrin Valley Engineering and the Law firm of Matty, Henrickson and Greve for their donations to support the sponsorship of concerts for the Summer Concert Series.

Councilwoman DiBacco reported on the Safety/Service meeting held this evening. The new car ordered by the Police Department has arrived and is getting detailed. The Police Department ordered two new MDT's for two of the patrol cars. The Service Department will be going out for bids for a new loader.

Motion by Don Banas seconded by Eric Johnson to convene into Executive Session for the purpose of discussing the purchase of real estate.

**Roll Call: Yeas—Adie, Banas, DiBacco, Johnson, Smith, Sylver
Nays—None**

6 yeas – 0 nays

Council convened to executive session at 8:57 p.m.

Motion by Jeff Adie seconded by Larry Sylver to reconvene into the regular Council Meeting.

**Roll Call: Yeas—Adie, Banas, DiBacco, Johnson, Smith, Sylver
Nays—None**

6 yeas – 0 nays

The regular Council Meeting reconvened at 9:35 pm.

RESIDENT PARTICIPATION:

None

There being no further business to come before Council, motion by Gurvis Smith, seconded by Jeff Adie to adjourn the meeting. Vote on the motion to adjourn was all yeas and no nays.

Mayor Mark A. Cegelka adjourned the meeting at 9:36 p.m.


Mark A. Cegelka – Mayor & President of Council


Lori Pepera, Clerk of Council